

REMARKS

The Office Action mailed March 26, 2003, has been reviewed and the comments of the Patent and Trademark Office have been considered. Claims 15 and 16 have been canceled without prejudice or disclaimer. Applicants reserve the right to file a divisional application to pursue claims 15 and 16. Claims 1 and 4-14 are pending for consideration.

Rejection under 35 U.S.C. § 103

Claims 1 and 4-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 2,408,704 to Taylor (hereafter "Taylor") in view of U.S. Patent No. 2,813,767 to Berg et al. (hereafter "Berg") and U.S. Patent No. 2,686,703 to Nave et al. (hereafter "Nave"). Applicants respectfully traverse this rejection for at least the following reasons.

All of independent claims 1, 8 and 14 recite "the curved surface of the portion from the top to the side is molded so that the radius of curvature is reduced toward a rear." The specification in paragraph 51 discloses an embodiment where in Figure 4, the radius of curvature from the top to the side of the front part A is 60 mm and the radius of curvature from the top to the side of the rear part B is 30 mm. As a further aid to the Examiner, applicants provide Appendix A which illustrates the radius of curvature from the top to the side for both the front and the rear for an embodiment of the invention, such as that of Figure 4. As can be seen from FIG. 1 (a front view of the embodiment), FIG. 2 (a side view of the embodiment) and FIG. 3 (a partial cross-sectional front view of the embodiment) of Appendix A, the radius of curvature from the top to the side of the front part, R1, is greater than the radius of curvature from the top to the side of the rear part, R2. Applicants submit that none of Taylor, Berg and Nave suggest the feature of the invention as recited in claims 1, 8 and 14 where "the curved surface of the portion from the top to the side is molded so that the radius of curvature is reduced toward a rear."

The Office Action acknowledges that Taylor fails to show a door whose cross-section comprises a curved surface from the top to the side such that the radius of curvature is reduced toward the rear of the door. Berg and Nave fail to cure the deficiencies of Taylor.

Berg discloses a refrigerating apparatus including a door 4. Figure 1 illustrates a perspective view of the apparatus including the door, while Figure 2 illustrates a side cross-sectional view of the door. Neither of these views of the Berg door, however, is sufficient to show a door whose cross-section comprises a curved surface from the top to the side such that the radius of curvature is reduced toward the rear of the door. The perspective view of Figure 1, being a perspective view, is not sufficient to precisely illustrate the radius of curvature of the door 4 from the top to the side. If anything, the perspective view of Figure 1 appears to suggest that the radius of curvature from the top to the side of the door 4 increases toward the rear. The side cross-sectional view of Figure 2 of Berg is also not a view that by itself illustrates the radius of curvature from the top to the side of the door 4 for both the front and rear. Thus, Berg fails to disclose a door whose cross-section comprises a curved surface from the top to the side such that the radius of curvature is reduced toward the rear of the door.

The Office Action alleges that Berg shows a door cross-section in Figure 2, where the radius of curvature is clearly greater at the exterior corner (7) of the door and decreases toward the rear. Applicants note, however, that reference numeral 7 refers to an outer wall of the door 4 (see Figure 1, col. 2, lines 26-29), not a corner. Moreover, as mentioned above, the single cross-sectional view of Figure 2 is not sufficient to illustrate the radius of curvature from the top to the side of the door for both the front and rear. At least a second cross-sectional view, which Berg does not include, would be needed.

Nave also fails to show a door whose cross-section comprises a curved surface from the top to the side such that the radius of curvature is reduced toward the rear of the

door. Nave discloses a front view (Figure 1) and a side cross-sectional view (Figure 2). These two views, however, are insufficient to illustrate the radius of curvature from the top to the side of the Nave door in both the front and rear of the door. Similar to the discussion with Berg, at least another cross-sectional view would be required to show the radius of curvature from the top to the side of the Nave door in the front and rear of the door.

Moreover, as discussed in the Amendment filed January 22, 2003, the feature of claims 1, 8 and 14, where the curved surface of the portion from the top to the side is molded so that the radius of curvature is reduced toward a rear, provides attendant advantages not suggested by Taylor. Some of these advantages are disclosed in the specification in paragraph 51. In the present invention, the larger radius of curvature toward the front of the door reduces local concentration of expansion and contraction of the sheet of the metal member of the door, while at the same time the relatively smaller radius of curvature toward the rear reduces a sense of incongruity between the door and the vending machine body. Taylor, Nave and Berg, all failing to suggest reducing the radius of curvature of the door toward the rear, fail to suggest these attendant advantages.

Accordingly, for at least the reasons given above, applicants respectfully submit that claims 1, 8 and 14, and claims 4-7 and 9-13, which respectively depend therefrom, are patentable over Taylor, Nave and Berg. Accordingly, applicants respectfully request that the rejection of these claims under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, applicants respectfully submit that all of the pending claims are now in condition for allowance. An early notice to this effect is earnestly solicited. If there are any questions regarding the application, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

Date

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By

Thomas G. Bilodeau

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5300

Facsimile: (202) 672-5399

Thomas G. Bilodeau
Attorney for Applicant(s)
Registration No. 43,438

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